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IN THE

SUPREME COURT OF THE UNITED STATES

Nos. 81-746 and 81-1172

CITY OF AKRON,

Petitioners,

vs.

AKRON CENTER FOR REPRODUCTIVE HEALTH, INC., et al.,

Respondents.

AKRON CENTER FOR REPRODUCTIVE HEALTH, INC., et al.,

Cross-Petitioners,

vs.

CITY OF AKRON, et al.,

Cross-Respondents.

MOTION OF THE BOARD OF CHURCH AND SOCIETY OF THE UNITED METHODIST CHURCH, THE NATIONAL MINISTRIES OF THE AMERICAN BAPTIST CHURCHES IN THE U.S.A., THE UNITED PRESBYTERIAN CHURCH IN THE U.S.A., THE EPISCOPAL URBAN CAUCUS, AND THE AMERICAN FRIENDS SERVICE COMMITTEE FOR LEAVE TO JOIN THE BRIEF AMICUS CURIAE OF CERTAIN RELIGIOUS ORGANIZATIONS.

THE BOARD OF CHURCH AND SOCIETY OF THE UNITED METHODIST CHURCH, THE NATIONAL MINISTRIES OF THE AMERICAN BAPTIST CHURCHES IN THE U.S.A., THE UNITED PRESBYTERIAN CHURCH IN THE U.S.A., THE EPISCOPAL URBAN CAUCUS, AND THE AMERICAN FRIENDS SERVICE COMMITTEE hereby move this Court for leave to join the "Brief

Amicus Curiae Of Certain Religious Organizations"* previously filed in this case. The statements of interest of the five movant organizations are set forth hereinafter in Appendis A.

The facts relevant to this motion are the following:

1. On August 27, 1982, the Brief Amicus Curiae Of Certain Religious Organizations was served and filed in accordance with the rules of this Court.

2. At that time it was impossible for the movant religious organizations to join the brief because their formal process for approval could not be completed within the time constraints set by the Court.

3. Moreover, movants' participation as amici curiae is not simply cumulative. The position of the brief, that the staute is premised upon and advances belief in violation of the First Amendment generally and in violation of the Religion clauses specifically, is strengthened by the fact that it is adhered to by the majority of mainstream religious groups in this country. For example, the Board of Church and Society of the United Methodist Church, the National Ministries of the American Baptist Church in the U.S.A. and the United Presbyterian Church in the U.S.A. speak for or represent the views of denominations having a membership of 13.2 million people.

4. Movants are aware of the Court's reluctance to permit joinder of additional amici. However, here, because of the impossibility of timely decision and the relevance of demonstrating that the perspectives and arguments set forth in

* The participants in that brief were the following religious organizations: AMERICAN ETHICAL UNION; AMERICAN HUMANIST ASSOCIATION; CATHOLICS FOR A FREE CHOICE; COORDINATING CENTER FOR WOMEN IN CHURCH AND SOCIETY, UNITED CHURCH OF CHRIST; NATIONAL BOARD, YOUNG WOMEN'S CHRISTIAN ASSOCIATION OF THE U.S.A.; NATIONAL COALITION OF AMERICAN NUNS; NATIONAL FEDERATION OF TEMPLE SISTERHOODS; NORTH AMERICAN FEDERATION OF TEMPLE YOUTH; OFFICE FOR CHURCH IN SOCIETY, UNITED CHURCH OF CHRIST; UNION OF AMERICAN HEBREW CONGREGATIONS; UNITARIAN UNIVERSALIST ASSOCIATION; UNITARIAN UNIVERSALIST WOMEN'S FEDERATION; UNITED CHURCH BOARD FOR HOMELAND MINISTRIES, UNITED CHURCH OF CHRIST; UNITED SYNAGOGUE OF AMERICA; WOMEN'S DIVISION, GENERAL BOARD OF GLOBAL MINISTRIES, UNITED METHODIST CHURCH; and WOMEN'S LEAGUE FOR CONSERVATIVE JUDAISM.

the amicus brief are indeed widely held in our society, movants suggest that this case is an exceptional one. See e.g., National Organization for Women v. Idaho, ___U.S.___, 102 S.Ct. 1272 (1982) (granting leave to Governor of Virginia to join brief filed on behalf of the Governor of Maine).

WHEREFORE, given the organizational impossibility of joining earlier and the significance of these organizations in the mainstream of religious groups today, movants respectfully request that the Court permit them to join the 16 organizations which signed the original brief.

Respectfully submitted,

Rhonda Copelon
c/o Center for Constitutional Rights
853 Broadway
New York, NY 10003
(212) 674-3303

Attorney for Amici Curiae.

Dated: New York, New York
October 9, 1982

APPENDIX A

AMERICAN BAPTIST CHURCHES, U.S.A.
(Annual Meeting, 1968)

Because Christ calls us to affirm the freedom of persons and sanctity of life, we recognize that abortion would be a matter of personal decision.

AMERICAN FRIENDS SERVICE COMMITTEE
(1980)

The American Friends Service Committee is the social justice arm of the Religious Society of Friends in America. It is active in relief and service work, reconciliation among nations and people, and programs to overcome discrimination and oppression. The AFSC has a vital interest in this litigation because of the Friends' belief in the infinite worth of each human being and the equality of all human beings in the sight of God which had led to the committment of a significant portion of its resources to work which seeks to root out the causes of violence in our society which lie in poverty and imbalance of wealth in the exclusion and denial of equal opportunity and rights on the basis of race and sex. It is aware that the decision to terminate a pregnancy is seldom easy and that the choice of sterilization is also a serious matter in light of its irreversibility. AFSC believes that in the end the individual must make the choice, free of coercion, including the coercion of poverty and services unavailable to those who cannot pay.

EPISCOPAL URBAN CAUCUS
(Position of Episcopal Church, General Convention, 1976)

Resolved: That the Episcopal Church express its unequivocal opposition to any legislation on the part of the national or state governments which would abridge or deny the right of individuals to reach informed decisions in this matter and to act upon them.

UNITED METHODIST CHURCH
(General Conference, 1976, 1980)

When an unacceptable pregnancy occurs, a family, and most of all the pregnant woman, is confronted with the need to make a difficult decision. We believe that continuance of a pregnancy which endangers the life or health of the mother, or poses other serious problems concerning the life, health, or mental capability of the child to be, is not a moral necessity. In such a case, we believe the path of mature Christian judgment may indicate the advisability of abortion. We support the legal right to abortion as established by the 1973 Supreme Court decisions. We encourage women in counsel with husbands, dotors, and pastors to make their own responsible decisions concerning the personal or moral questions surrounding the issue of abortion. (Resolution on Responsible Parenthood, 1976.)

Our belief in the sanctity of unborn human life makes us reluctant to approve abortion. But we are equally bound to respect the sacredness of the life and well-being of the mother, for whom devastating damage may result from an unacceptable pregnancy. In continuity with past Christian teaching, we recognize tragic conflicts of life with life that may justify abortion. (Social Principles, 1976, reaffirmed 1980.)

UNITED PRESBYTERIAN CHURCH IN THE U.S.A.
(General Assembly, 1972, reaffirmed 1978)

Whereas, God has given persons the responsibility of caring for creation as well as the ability to share in it, and has shown his concern for the quality and value of human life; and

Whereas, sometimes when the natural ability to create life and the moral and spiritual ability to sustain it are not in harmony, the decisions to be made must be understood as moral and ethical ones and not simply legal;

Therefore, in support of the concern for the value of human life and human wholeness...the 184th General Assembly:

b. Declares that women should have full freedom of personal

choice concerning the completion or termination of their pregnancies and that artificial or induced termination of pregnancy, therefore, should not be restricted by law, except that it be performed under the direction and control of a properly licensed physician.

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CERTIFICATE OF SERVICE

Rhonda Copelon, a member of the Bar of this Court and counsel for the Amici Curiae, certifies that she did cause this "Motion of the Board of Church and Society of the United Methodist Church, the National Ministries of the American Baptist Churches in the U.S.A., the United Presbyterian Church in the U.S.A., the Episcopal Urban Caucus, and the American Friends Service Committee for Leave to Join the Brief Amicus Curiae of Certain Religious Organizations" to be served upon the following counsel for the parties in this case:

Stephan Landsman
Cleveland-Marshall College of Law
Cleveland State University
Cleveland, Ohio 44155

Robert D. Pritt
Department of Law
304 Municipal Building
Akron, Ohio 44308-1655

Alan G. Segedy
Segedy & Umbaugh
Law and Commerce Building
40 E. Mill Street (at Main)
Akron, Ohio 44308

Janet Benshoof
ACLU
132 W. 43rd Street
New York, New York 10036

by first class mail, postage prepaid.

Rhonda Copelon

Rhonda Copelon
c/o Center for Constitutional Rights
853 Broadway
New York, New York 10003
(212) 674-3303

Dated: New York, New York
October 9, 1982